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DATE: December 17, 2004

PTO IDENTIFIER: Application Number 10/091177  
Patent Number

Inventor: Come et al.

MESSAGE TO: US Patent and Trademark Office

FAX NUMBER: (703) 872-9306

FROM: ROPES &amp; GRAY LLP

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Attorney Dkt. #: DFMP-P01-018

PAGES (Including Cover Sheet): 4

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Certificate of Transmission (1 page)  
REVISED REPLY TO RESTRICTION REQUIREMENT (2 pages)

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Attorney Docket No.: DFMP-P01-018

DEC 17 2004

IN THE UNITED STATES PATENT AND TRADEMARK OFFICEIn re Application of:  
COME *et al.*

Attorney Docket No. DFMP-P01-018

Serial No: 10/091,177

Art Unit: 1631

Filed: March 4, 2002

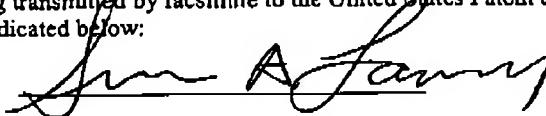
Examiner: Martinell, James

For: THREE HYBRID ASSAY SYSTEM

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Date of Signature  
and of Facsimile TransmissionMail Stop Amendment  
Commissioner for Patents  
P. O. Box 1450  
Alexandria, VA 22313-1450REVISED REPLY TO RESTRICTION REQUIREMENT

Sir:

This response is filed in reply to the outstanding Restriction Requirement, mailed November 17, 2004, in connection with the above application. Applicants wish to vacate their previous response and instead elect Group III, claims 28-42, 50-55, 63, and 65, *with traverse*, on the following grounds. It is hoped that this change will not inconvenience the Examiner and will be effective to change the group being elected.

Applicants traverse this restriction requirement on the basis that the Group IV, which is mischaracterized in the restriction requirement, is also directed to methods of determining whether a polypeptide binds a ligand. Accordingly, Groups IV and III are closely related and share common features that would facilitate searching both groups at once. Therefore, a search and examination of both groups can be made without imposing additional serious burden on the Examiner. Accordingly, reconsideration is respectfully requested.

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Attorney Docket No.: DFMP-P01-018

The Examiner may address any questions raised by this submission to the undersigned at 617-951-7000. Should an extension of time be required, Applicants hereby petition for same and request that the extension fee and any other fee required for timely consideration of this submission be charged to Deposit Account No. 18-1945.

Respectfully Submitted,



David P. Halstead  
Reg. No. 44,735

Date: December 17, 2004

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PTO/SB/07 (09-04)

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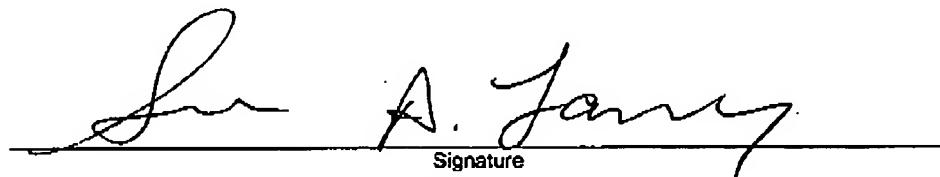
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Application No. (if known): 10/091177

Attorney Docket No.: DFMP-P01-018

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